

Date:

Application # 10310-00000-00449

City of Columbus | Department of Building and Zoning Services | 757 Carolyn Avenue, Columbus, Ohio 43224

If you have questions about this form call 645-4522



Comments: \_\_\_\_\_ Commission/Group: \_\_\_\_\_

\_\_\_\_\_ Date Received: 18 Oct. 2010 Planning Area: \_\_\_\_\_

\_\_\_\_\_ Date of Hearing: 28 Dec 2010 Acreage: \_\_\_\_\_

\_\_\_\_\_ Zoning Fee: \$315 - Address Fee \_\_\_\_\_

\_\_\_\_\_ Existing Zoning \_\_\_\_\_ Accepted by HF

## BOARD OF ZONING ADJUSTMENT APPLICATION

TYPE(S) OF ACTION REQUESTED

(Check all that apply)

☒ Variance ☐ Special Permit

Indicate what the proposal is and list applicable code sections. State what it is you are requesting.

3342.24 Surface: To allow gravel to be added to an  
existing gravel parking pad.

**PAID**  
OCT 18 2010  
BUILDING & ZONING SERVICES

### LOCATION

1. Certified Address Number and Street Name 39 W. Maynard Ave.  
City Columbus State Ohio Zip 43202

Parcel Number (only one required.) 010-022870

### APPLICANT (IF DIFFERENT FROM OWNER)

2. Name \_\_\_\_\_  
3. Address \_\_\_\_\_ City \_\_\_\_\_ Zip \_\_\_\_\_  
4. Phone# \_\_\_\_\_ Fax # \_\_\_\_\_  
5. Email Address \_\_\_\_\_

### PROPERTY OWNER(S)

6. Name John & Maureen Byrne  
7. Address 3545 Schurtzinger Rd. City Hilliard, OH Zip 43026  
8. Phone# (614) 206-5855 Fax # (614) 850-9490  
9. Email Address byrneclan@stcglobal.net

☐ Check here if listing additional property owners on a separate page

### ATTORNEY / AGENT (CIRCLE ONE)

10. Name \_\_\_\_\_  
11. Address \_\_\_\_\_ City \_\_\_\_\_ Zip \_\_\_\_\_  
12. Phone# \_\_\_\_\_ Fax # \_\_\_\_\_  
13. Email Address \_\_\_\_\_

### SIGNATURES

14. Applicant Signature \_\_\_\_\_  
15. Property Owner Signature \_\_\_\_\_  
16. Attorney/Agent Signature \_\_\_\_\_

**One Stop Shop Zoning Report**

Building Services Division

Department of Development

Report date: 10/20/2010 10:36:06 AM

**Parcel Report**

Parcel ID	Owner	Address
010022870	BYRNE JOHN J BYRNE MAUREEN T	39 W MAYNARD AVE COLUMBUS OH 43202

**Base Zoning Report**

Case Number	<u>Classification</u>	Height District	Map Number	General Zoning Category	Limitation Text
Z79-110	R2F	H-35	28	Residential	<a href="#">(View Document)</a>

**Zoning Overlay District**

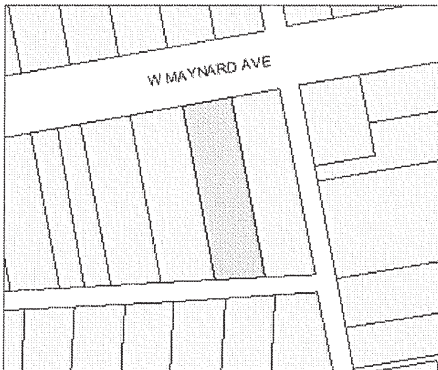
Overlay Name	District Name	Planning Overlay
University	PLANNING OVERLAY	P
University	PLANNING OVERLAY	P

**Flood Zone**

Firm Panel	Flood Zone	SFHA	Panel Type	FZONE
TBD	X	OUT	CURRENT	X

**Area Commissions**

Area Name	INFObase URL
University Area Commission	<a href="#">INFObase Page</a>



This map is intended to locate the property in question, and provide information about the land use categories governing the use of this parcel. Please consult with zoning staff before making binding decisions based on this information. The property address is not a certified address for building purposes. No warranty is expressed or implied.

**10310-00000-00449**  
**39 WEST MAYNARD AVE.**

# AFFIDAVIT

**10310-00000-00449**  
**39 WEST MAYNARD AVE.**



(See next page for instructions.)

STATE OF OHIO

COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME John J. Byrne of  
(1) MAILING ADDRESS 3545 Schirtzinger Rd. Hilliard, OH 43026  
deposed and states that (he/she) is the applicant, agent, or duly authorized attorney for same and the following is a list of the name(s) and mailing address(es) of all the owners of record of the property located at

(2) per ADDRESS CARD FOR PROPERTY

for which the application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services on (3) \_\_\_\_\_

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNER'S NAME

(4) John J. & Maureen T. Byrne

AND MAILING ADDRESS

3545 Schirtzinger Rd.

Hilliard, OH 43026

APPLICANT'S NAME AND PHONE #

(same as listed on front of application)

John J. Byrne (614) 206-5855

AREA COMMISSION OR CIVIC GROUP

AREA COMMISSION ZONING CHAIR OR

CONTACT PERSON AND ADDRESS

(5) University Area Commission

Zoning Chair: Ron Hupman

2231 N. High St. Columbus, OH 43201

and that the following is a list of the **names** and **complete mailing addresses**, including **zip codes**, as shown on the **County Auditor's Current Tax List or the County Treasurer's Mailing List**, of all the **owners of record of property within 125 feet** of the exterior boundaries of the property for which the application was filed, **and** all of the owners of any property within 125 feet of the applicant's or owner's property in the event the applicant or the property owner owns the property contiguous to the subject property:

(6) PROPERTY OWNER(S) NAME (6A) ADDRESS OF PROPERTY (6B) PROPERTY OWNER(S) MAILING ADDRESS

See Attached

☐ (7) Check here if listing additional property owners on a separate page.

SIGNATURE OF AFFIANT

(8)

Subscribed to me in my presence and before me this 17 day of Oct., in the year 2010

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:



Elizabeth N. Sale  
ELIZABETH N. SALE  
NOTARY PUBLIC, STATE OF OHIO  
MY COMMISSION EXPIRES 11/13/20

Notary Seal Here



## STATEMENT OF HARDSHIP

**10310-00000-00449**  
**39 WEST MAYNARD AVE.**

APPLICATION #

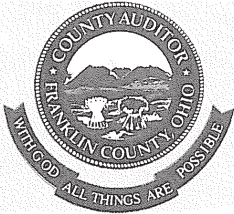
### 3307.09 Variances by Board.

- A. The Board of Zoning Adjustment shall have the power, upon application, to grant variances from the provisions and requirements of this Zoning Code (except for those under the jurisdiction of the Graphics Commission and except for use variances under the jurisdiction of the Council). No variance shall be granted unless the Board finds that all of the following facts and conditions exist:
1. That special circumstances or conditions apply to the subject property that do not apply generally to other properties in the same zoning district.
  2. That the special circumstances or conditions are not the result of the actions of the property owner or applicant.
  3. That the special circumstances or conditions make it necessary that a variance be granted to preserve a substantial property right of the applicant which is possessed by owners of other property in the same zoning district.
  4. That the grant of a variance will not be injurious to neighboring properties and will not be contrary to the public interest or the intent and purpose of this Zoning Code.
- B. In granting a variance, the Board may impose such requirements and conditions regarding the location, character, and other features of the proposed uses or structures as the Board deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard the public safety and welfare.
- C. Nothing in this section shall be construed as authorizing the Board to affect changes in the Zoning Map or to add to the uses permitted in any district.

**I have read Section 3307.09, Variances by Board, and believe my application for relief from the requirements of the Zoning Code satisfies the four criteria for a variance in the following ways:**

*The parking area at the rear of the house has been gravelled since before we owned the property (likely for many decades). After applying fresh gravel to neaten up the area, we were informed (by violation) that the area ~~was~~, according to code, must be paved. In this parking area is a very large and beautiful old Magnolia tree. We were informed by several contractors that the tree would die if the area was paved. We believe that the tree adds more to the property and surrounding area than adding new gravel detracts from it, and as many of the properties in the area also have gravel parking areas, it would not devalue the other properties around us in anyway. In fact, as Rutherford's garage abuts the parking area, the loss of this tree would create a more industrial feel to this residential neighborhood. We therefore respectfully request a variance to surface the area in gravel and save our tree.*

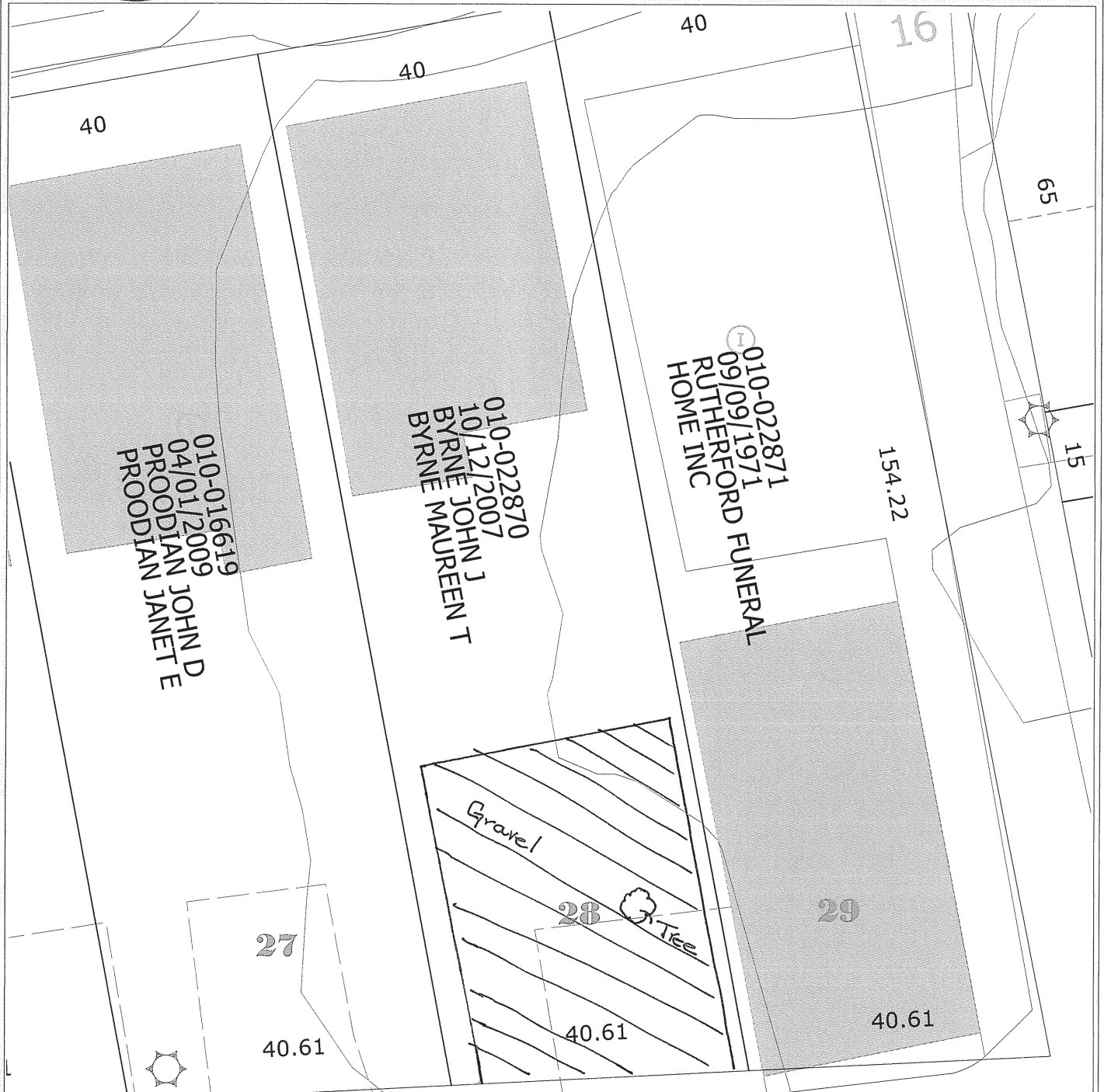




# CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: s

DATE: 10/18/10



Disclaimer

Scale = 20



This map is prepared for the real property inventory within this county. It is based on survey plats, and other public records and data. Users of this map should consult the information sources should be consulted for verification of the information. The county and the mapping companies assume no legal responsibility for the accuracy of the information. Please notify the Franklin County GIS Division of any discrepancies.

**10310-00000-00449**

**39 WEST MAYNARD AVE.**

ap.

partment





# CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: S

DATE: 10/14/10



Disclaimer

Scale = 100

Grid  
North

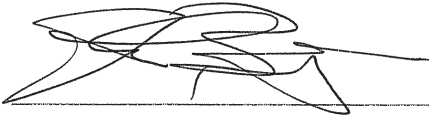
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**39 WEST MAYNARD AVE.**

is map.

S Department

Signature of Applicant



Date 10/17/10



## PROJECT DISCLOSURE STATEMENT

Parties having a 5% or more interest in the project that is the subject of this ap

**THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED.** Do not indica

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STATE OF OHIO

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COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME)

John J. Byrne

of (COMPLETE ADDRESS)

3545 Schirtzinger Rd. Hilliard, OH 43026

deposes and states that (he/she) is the APPLICANT, AGENT or DULY AUTHORIZED ATTORNEY FOR SAME and the following is a list of all persons, other partnerships, corporations or entities having a 5% or more interest in the project which is the subject of this application and their mailing addresses:

NAME

COMPLETE MAILING ADDRESS

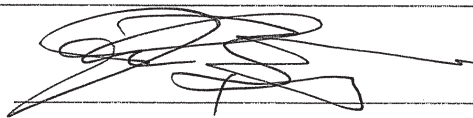
John J. Byrne

3545 Schirtzinger Rd. Hilliard, OH 43026

Maureen T. Byrne

3545 Schirtzinger Rd. Hilliard, OH 43026

SIGNATURE OF AFFIANT



Subscribed to me in my presence and before me this 17 day of October, in the year 2010

SIGNATURE OF NOTARY PUBLIC

Elizabeth N. Sale

My Commission Expires:

**ELIZABETH N. SALE**  
NOTARY PUBLIC, STATE OF OHIO  
MY COMMISSION EXPIRES 1/13/20

